

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**IN THE MATTER OF:
HARRIS CLAIBORNE FRAZIER**

**CHAPTER 13
CASE NO. 08-03051**

**MOTION TO SET ASIDE ORDER OF DISMISSAL
(ORDER RESOLVING ORDER TO SHOW CAUSE) AND TO REINSTATE CASE**

The undersigned counsel moves this Court, pursuant to 11 U.S.C. Section 350 and Rule 5010 of the Federal Rules of Bankruptcy Procedure to reinstate the above styled and numbered cause to accord relief to Debtor as follows:

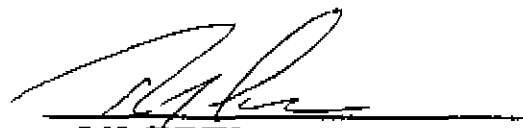
1. This case was filed on October 8, 2008 as an emergency filing. An Order of Dismissal (Order Resolving *Order to Show Cause*) was entered on November 19, 2008 for failure to comply with the credit counseling requirements found in 11 U.S.C. section 109(h).

2. Counsel would show that a Certificate of Counseling was issued to Debtor on November 17, 2008 and that same has been filed with the Court.

3. The undersigned would further show that counsel has complied with the Deficiency Notice issued on October 27, 2008 regarding notifying added creditors on the Amended Mailing Matrix filed on October 23, 2008, and no creditors will be prejudiced by the reinstatement.

WHEREFORE, PREMISES CONSIDERED, the undersigned prays that this Court enter an Order setting aside the Order of Dismissal (Order Resolving *Order to Show Cause*) entered on November 19, 2008 and allow Debtor to continue in the Chapter 7 proceedings.

Respectfully Submitted,



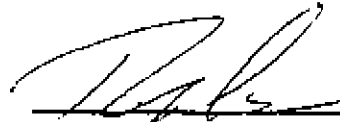
ROB CURTIS
Attorney for Debtor

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CERTIFICATE OF SERVICE

I, Rob Curtis, do hereby certify that I have this date mailed a true and correct copy of the foregoing Motion To Set Aside Order Dismissing Case (Order Resolving *Order to Show Cause*) and to Reinstate Case to the Chapter 7 Trustee, and to the Office of the U.S. Trustee.

Dated, this the 26th day of November, 2008.



ROB CURTIS
Attorney for Debtor